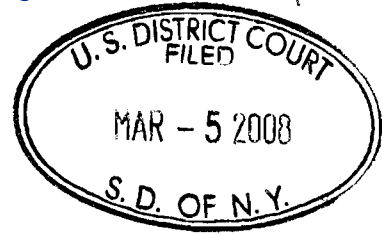


Kaplan



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

H. Thomas O'Hara Architect, P.L.L.C.,

Plaintiff(s)

v.

07-cv-11224 (LAK)

Extell West 45th Street, L.L.C.,
Defendant(s).

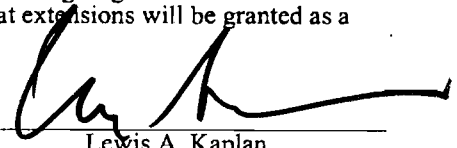
Consent Scheduling Order

Upon consent of the parties, it is hereby


ORDERED as follows:

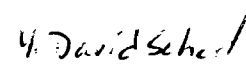
1. No additional parties may be joined after 10/15/08.
2. No amendments to the pleadings will be permitted after 10/15/08.
3. The parties shall make required Rule 26(a)(2) disclosures with respect to:
 - (a) expert witnesses on or before 7/15/08;
 - (b) rebuttal expert witnesses on or before 8/15/08.
4. All discovery, including any depositions of experts, shall be completed on or before 9/30/08.
5. A joint pretrial order in the form prescribed in Judge Kaplan's individual rules shall be filed on or before 11/1/08.
6. No motion for summary judgment shall be served after the deadline fixed for submission of the pretrial order. The filing of a motion for summary judgment does not relieve the parties of the obligation to file the pretrial order on time.
7. If any party claims a right to trial by jury, proposed voir dire questions and jury instructions shall be filed with the joint pretrial order.
8. Each party or group of parties aligned in interest shall submit not less than ten (10) days prior to trial (a) a trial brief setting forth a summary of its contentions and dealing with any legal and evidentiary problems anticipated at trial, and (b) any motions in limine.
9. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the date hereof. Counsel should not assume that extensions will be granted as a matter of routine.


Dated:


Lewis A. Kaplan
United States District Judge

CONSENTED TO: [signatures of all counsel]


Muel Blom
Agent for LLP
Attys for Plaintiff


David Scher
Morrison Cohen LLP
Attorneys for Defendants


Kevin O'Neil
Counsel for Plaintiff
Attorney for Plaintiff

Returned to chambers for scanning on 3/6/08

Scanned by chambers on _____

MICROFILMED

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